

M I N U T E S  
June 4, 2010  
Committee on Professional Discipline

PARTICIPATING:

Committee on Professional Discipline meeting was called to order by Chairman Julia Bouchard, M.D., Boise, at 7:56 a.m. on Friday, June 4, 2010 in the Parkcenter Room of the DoubleTree Club Hotel, in Boise, Idaho. Present were Committee on Professional Discipline members: Wendell Wells, M.D., Burley; Stephen Marano, M.D., Idaho Falls; Arthur C. Jones, III, MD, Boise, and Michael Johnson, Public Member, Boise. Also attending were Imelda (Joan) Weddington, Executive Director; Cathleen Morgan, Board Counsel; Mary Leonard, Associate Director; Beverly Kendrick, Quality Assurance Specialist; Cynthia Michalik, Quality Assurance Specialist; Janet Whelan, Quality Assurance Specialist; Darlene Parrott, Compliance Monitor and Jean Uranga, Attorney for the Board.

MINUTES:

The minutes of the March 5, 2010, meeting were approved as written. (Wells/Unanimous)

COMMITTEE ACTIONS/RECOMMENDATIONS:

At 7:56 a.m., pursuant to Idaho Code §67-2345 (1) (b), (d) and (f), the Committee moved to go into Executive Session to consider pending matters. (Motion - Jones. Approved - Bouchard, Johnson, Wells, and Marano.)

At 9:44 a.m. the Board of Medicine members joined the meeting: David A. McClusky, II, M.D., Chairman, Twin Falls; Leo Harf, M.D., Vice-Chairman, Nampa, Laura McGeorge, MD, Boise; Ralph Sutherlin, D.O., Meridian; William A. Cone, M.D., Lewiston; Barry Bennett, MD, Idaho Falls; Col. Jerry Russell, Meridian; B. Joyce McRoberts, Public Member, Meridian, and Trudy Jackson, Public Member, Emmett.

In Executive Session, the Committee met with three Respondents, one accompanied by legal counsel, pursuant to scheduled appearances. Upon departure, the Committee also considered the results of investigations and information presented in each discipline case.

At 11:22 a.m., the Committee acted to leave Executive Session and go into Open Session. (Motion - Wells. Approved - Jones, Johnson, Marano and Bouchard)

In Open Session, the Committee voted on the matters considered during Executive Session and made recommendations to the Board of Medicine as follows:

Case No. BOM-2009-398 - The Committee acted to recommend closure with a rehabilitation Stipulation and Order. (Wells/Unanimous)

Case No. BOM-2009-400 - The Committee acted to recommend closure with a rehabilitation Stipulation and Order. (Jones/Unanimous)

Case No. BOM-2009-395 - The Committee acted to recommend closure.  
(Jones/Unanimous)

Case No. 6460 - The Committee acted to recommend closure with a  
Stipulation and Order. (Jones/Unanimous)

Case No. 6450 - The Committee acted to recommend closure.  
(Wells/Unanimous) (Jones recused)

Case No. 6345 - The Committee acted to recommend closure with a  
Confidential Letter of Concern. (Jones/Unanimous)

Case No. 6556 - The Committee acted to recommend closure with a  
Stipulation and Order. (Jones/Unanimous)

Case No. 6535 - The Committee acted to recommend closure with a  
Confidential Letter of Concern. (Wells/Unanimous)

Case No. 6563 - The Committee acted to recommend closure with a  
Confidential Letter of Concern. (Jones/Unanimous) (Marano recused)

Case No. BOM-2009-406 - The Committee acted to recommend approval  
of a request for reduction of a fine previously imposed by the  
Board. (Wells/Unanimous)

Case No. 6555 - The Committee acted to recommend closure.  
(Wells/Unanimous)

Case No. 6506 - The Committee acted to recommend closure.  
(Wells/Unanimous)

Case No. 6495 - The Committee acted to recommend closure.  
(Wells/Unanimous)

Case No. 6565 - The Committee acted to recommend closure with a  
Stipulation and Order for a rehabilitation evaluation and follow  
up. (Wells/Unanimous)

Case No. 6546 - The Committee acted to recommend closure with a  
rehabilitation Stipulation and Order. (Jones/Unanimous)

Case No. MON-98 - The Committee acted to recommend approval of a  
request for termination of a Stipulation and Order.  
(Wells/Unanimous)

Case No. BOM-2009-407 - The Committee acted to recommend closure  
with a Stipulation and Order for a rehabilitation evaluation and  
follow up. (Wells/Unanimous)

Case No. BOM-2008-170 - The Committee acted to recommend closure.  
(Jones/Unanimous)

Case No. 6560 - The Committee acted to recommend closure with a  
Stipulation and Order. (Jones/Unanimous)

Case No. 6545 - The Committee acted to recommend further investigation. (Jones/Unanimous)

Case Nos. BOM-2008-124, BOM-2009-173, BOM-2009-179 - The Committee acted to recommend closure with a Stipulation and Order. (Johnson/Unanimous)

Case No. BOM-2009-401 - The Committee acted to recommend closure. (Jones/Unanimous)

The Committee acted to recommend that the following cases be closed by consent motion: Case Nos. 6558, 6249, 6517, 6529, 6542, 6531, BOM-2009-409, 6534, 6492, 6559, 6557, 6547, 6544, 6553, 6523, 6540, 6520, 6549, 6539, 6521, 6538, 6543, 6548, 6532, 6562, 6541, 6550, 6524, and 6566. (Jones recused in cases 6544 and 6566)

The Committee reviewed follow-up information presented in case Nos. BOM-2008-136, 6478, BOM-2009-396, BOM-2001-264, 6456, 6357, BOM-2009-399, BOM-2002-320, BOM-2009-200, BOM-1997-312, 6303 and BOM-2009-204. No action was required.

The Committee reviewed the Monitoring records for information. No action was recommended.

The Committee reviewed the Stipulation and Order Compliance Report. No action was required.

The Committee reviewed compliance with the Patient Freedom of Information Act and noted that of the four licensees listed on the agenda three had complied prior to the meeting. The Committee acted to recommend an Order Imposing Fine for non-compliance in Case No. 2010-BOM-6589.

The Committee reviewed the reports of matters that were determined to be outside of the Board's jurisdiction.

#### ADJOURNMENT:

Committee Chairman Julia Bouchard, M.D. adjourned the meeting at 11:22 a.m. on Friday, June 4, 2010.